

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PAMELA POSTELL,

Plaintiff,

MEMORANDUM AND ORDER

-against-

CV 13-2797 (LDW) (AKT)

JAC BUS CORPORATION *et al.*,

Defendants.

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WEXLER, District Judge

Plaintiff Pamela Postell (“Postell”) brings this action against defendants JAC Bus Corporation, Suffolk Bus Corporation, Suffolk Transportation Service, Inc., Ray Girmaldi, Stacy Popkins, Maureen Salerno, and Phil DiDomenico under 42 U.S.C. § 1981; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*; and New York State Human Rights Law, N.Y. Exec. Law § 296 *et seq.* Plaintiff asserts claims for race discrimination, hostile work environment, and retaliation. Defendants move for summary judgment under Rule 56 of the Federal Rules of Civil Procedure. Postell opposes the motion.

Upon consideration, the Court finds that genuine disputes of material fact exist precluding the entry of summary judgment. *See* Fed. R. Civ. P. 56(a) (party seeking summary judgment must demonstrate that “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law”);

*Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986); *Gallo v. Prudential Residential Servs. Ltd. P'ship*, 22 F.3d 1219, 1223-24 (2d Cir. 1994).

Accordingly, defendants' motion for summary judgment is denied.

The parties are reminded that jury selection is scheduled for June 1, 2015.

SO ORDERED.

\_\_\_\_\_/s/\_\_\_\_\_  
LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
September 24, 2014